

JOURNAL OF THE HOUSE

Fifty-eighth Legislative Assembly

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Bismarck, March 7, 2003

The House convened at 12:30 p.m., with Speaker Wentz presiding.

The prayer was offered by Pastor Chris Hallanger, St. John and Bethany Lutheran Churches, Hatton.

The roll was called and all members were present except Representatives Belter, Bernstein, Clark, Delzer, Eckre, Galvin, R. Kelsch, Nottestad, and Wentz.

A quorum was declared by the Speaker.

POINT OF PERSONAL PRIVILEGE

REP. METCALF: Madam Speaker: I rise on a point of personal privilege and request that my remarks be printed in the Journal, which motion prevailed.

REQUEST

REP. METCALF REQUESTED that his remarks be printed in the Journal, which request was granted.

Today is the opening day of the 66th Annual North Dakota Winter Show located in Valley City. The North Dakota Winter Show had its beginning in the middle 30's as a Winter exposition of the agriculture industry in North Dakota with an emphasis on family and youth. Starting as a livestock show through the years it was supported by every major purebred breeder throughout the state. From its humble beginning using garage and warehouse space in down town Valley City it was expanded into its current four acres of indoor display area and an arena with 3500 seating capacity for many different types of agricultural exhibits and entertainment features. In the late 70's the livestock shows were opening to the world. Since then, livestock from 27 other states and four countries have been on display or entered into competition. In addition to livestock, the show is noted for its seed show, known to be the largest in the world. Each year, FFA and 4-H members by the hundreds participate in the many judging and showmanship contests. Add activities of special interest for the ladies and you have an all around family fun and educational event second to none.

As times change, so does the Winter Show. It started as a three day show, expanded to a seven day show, advanced to an eleven day show and currently runs for ten days starting the first Friday of March each year. The North Dakota Winter Show is responsive to the needs of the state as an additional livestock show was added in the first week of December and is known as the North Star Classic. This year more than 20 horse events will be held. Every major horse association in the area will be holding shows and contests in the Winter Show building, probably the finest horse show facility within a four state area. In addition several 4-H shows have been scheduled together with beef herd production sales and show horse clinics and seminars. The Winter Show is also the home for the North Dakota Agriculture Hall of Fame, where many of our leaders are recognized for their contribution to the development and expansion of the agriculture community as we know it today.

All North Dakotans and their friends are invited to become a part of the show by coming to Valley City to experience the history and learn the future of agriculture of this Great State as presented by the North Dakota Winter Show.

POINT OF PERSONAL PRIVILEGE

REP. WIELAND: Madam Speaker: I rise on a point of personal privilege.

REQUEST

REP. KOPPELMAN REQUESTED that the remarks of Rep. Wieland be printed in the Journal, which request was granted.

We received some sad news today. I would like to read a statement from West Fargo Mayor Rich Mattern.

Today our hearts go out to all the family and friends on the passing of long time City Auditor, Mike McLeod. To those of us within the city of West Fargo, Mike was a peer, mentor and above all else a dear friend.

Mike's devotion to the city was immense and his for work for the city, unparalleled. He enjoyed being with people, working with them, developing relationships, working with other staff members and in short, Mike was a people person and was loved by everyone.

Mike is no longer with us, but his spirit will be with us, watching over his family, friends and West Fargo, forever.

MOTION

REP. BERG MOVED that SB 2070 be returned to the House floor from the **Human Services Committee** and be rereferred to the **Judiciary Committee**, which motion prevailed.

MOTION

REP. BERG MOVED that SCR 4025, which is on the Tenth order, be rereferred to the **Finance and Taxation Committee**, which motion prevailed. Pursuant to Rep. Berg's motion, SCR 4025 was rereferred.

SIXTH ORDER OF BUSINESS

REP. BERG MOVED that the amendments on the Sixth order of business to HCR 3006, HCR 3014, HCR 3049, SB 2068, SB 2155, SB 2180 and SB 2302 be adopted, which motion prevailed.

HCR 3006, HCR 3014 and HCR 3049, as amended, were placed on the Eleventh order of business on the calendar.

SB 2068, SB 2155, SB 2180 and SB 2302, as amended, were placed on the Fourteenth order of business on the calendar.

MOTION

REP. BERG MOVED that SB 2206 be moved to the top of the calendar, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2206: A BILL for an Act to amend and reenact section 4-09-14 of the North Dakota Century Code, relating to requirements for the sale of seed.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 85 YEAS, 0 NAYS, 0 EXCUSED, 9 ABSENT AND NOT VOTING.

YEAS: Amerman; Bellew; Berg; Boe; Boehning; Boucher; Brusegaard; Carlisle; Carlson; DeKrey; Delmore; Devlin; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Glassheim; Grande; Grosz; Gulleson; Haas; Hanson; Hawken; Headland; Herbel; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Norland; Onstad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Tieman; Timm; Uglem; Wald; Warner; Warnke; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Acting Speaker Aarsvold

ABSENT AND NOT VOTING: Belter; Bernstein; Clark; Delzer; Eckre; Galvin; Kelsch, R.; Nottestad; Wentz

SB 2206 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2179: A BILL for an Act to amend and reenact section 49-10.1-19 of the North Dakota Century Code, relating to the provision of a written critical incident stress debriefing policy.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 84 YEAS, 0 NAYS, 0 EXCUSED, 10 ABSENT AND NOT VOTING.

YEAS: Amerman; Bellew; Berg; Boe; Boehning; Boucher; Brusegaard; Carlisle; Carlson; DeKrey; Delmore; Devlin; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Glassheim; Grande; Grosz; Gulleson; Haas; Hanson; Hawken; Headland; Herbel; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Norland; Onstad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Tieman; Timm; Uglem; Wald; Warner; Warnke; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Acting Speaker Aarsvold

ABSENT AND NOT VOTING: Belter; Bernstein; Clark; Delzer; Eckre; Galvin; Kelsch, R.; Nottestad; Wentz; Zaiser

Engrossed SB 2179 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2205: A BILL for an Act to amend and reenact section 26.1-03-16 of the North Dakota Century Code, relating to extension of the time for an insurance company to file a statement with the insurance commissioner.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 85 YEAS, 0 NAYS, 0 EXCUSED, 9 ABSENT AND NOT VOTING.

YEAS: Amerman; Bellew; Berg; Boe; Boehning; Boucher; Brusegaard; Carlisle; Carlson; DeKrey; Delmore; Devlin; Dosch; Drovdal; Ekstrom; Froelich; Froseth; Glassheim; Grande; Grosz; Gulleson; Haas; Hanson; Hawken; Headland; Herbel; Hunskor; Iverson; Johnson, D.; Johnson, N.; Kasper; Keiser; Kelsh, S.; Kempenich; Kerzman; Kingsbury; Klein, F.; Klein, M.; Klemin; Koppelman; Kreidt; Kretschmar; Kroeber; Maragos; Martinson; Meier; Metcalf; Monson; Mueller; Nelson; Nicholas; Niemeier; Norland; Onstad; Pietsch; Pollert; Porter; Potter; Price; Rennerfeldt; Ruby; Sandvig; Schmidt; Severson; Sitte; Skarphol; Solberg; Svedjan; Thoreson; Thorpe; Tieman; Timm; Uglem; Wald; Warner; Warnke; Weiler; Weisz; Wieland; Wikenheiser; Williams; Winrich; Wrangham; Zaiser; Acting Speaker Aarsvold

ABSENT AND NOT VOTING: Belter; Bernstein; Clark; Delzer; Eckre; Galvin; Kelsch, R.; Nottestad; Wentz

SB 2205 passed and the title was agreed to.

MESSAGE TO THE SENATE FROM THE HOUSE (BRADLEY C. FAY, CHIEF CLERK)

MR. PRESIDENT: The House has passed unchanged: SB 2079, SB 2093, SB 2094, SB 2114, SB 2120, SB 2121, SB 2123, SB 2136, SB 2142, SB 2145, SB 2158, SB 2286, SB 2289.

MESSAGE TO THE SENATE FROM THE HOUSE (BRADLEY C. FAY, CHIEF CLERK)

MR. PRESIDENT: The House has failed to pass: SB 2071, SB 2130, SB 2152, SB 2167.

MESSAGE TO THE SENATE FROM THE HOUSE (BRADLEY C. FAY, CHIEF CLERK)

MR. PRESIDENT: The House has passed, the emergency clause carried, unchanged: SB 2122.

MESSAGE TO THE SENATE FROM THE HOUSE (BRADLEY C. FAY, CHIEF CLERK)

MR. PRESIDENT: The House has amended and subsequently passed: SB 2214.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)

MR. SPEAKER: The Senate has amended, subsequently passed, and the emergency clause carried: HB 1115.

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1115

Page 3, line 8, remove the overstrike over "of"

Renumber accordingly

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)

MR. SPEAKER: The Senate has passed, the emergency clause carried, unchanged: HB 1124, HB 1169.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)

MR. SPEAKER: The Senate has failed to pass: HB 1126, HB 1310.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)

MR. SPEAKER: The Senate has amended and subsequently passed: HB 1051, HB 1142, HB 1348.

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1051

Page 1, line 2, remove "the confidentiality of"

Page 1, line 6, overstrike " - Confidential"

Page 1, line 12, after "body" insert "or management", replace "confidential" with " exempt", and after "issued" insert "or work ceases on the audit"

Renumber accordingly

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1142

Page 1, line 12, replace "stockholders" with "policyholders"

Renumber accordingly

SENATE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1348

Page 1, line 16, after "larger" insert ", and its associated transmission substations,"

Page 1, line 18, after "line" insert "and its associated transmission substations"

Page 2, line 2, replace the first "is" with "and its associated transmission substations are" and replace the second "is" with "are"

Page 2, line 4, after "section" insert "applies to the transmission line and its associated transmission substations and"

Renumber accordingly

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)

MR. SPEAKER: The Senate has passed unchanged: HB 1078, HB 1137, HB 1155, HB 1165, HB 1210, HB 1232, HB 1266, HB 1390, HB 1419, HB 1441.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)

MR. SPEAKER: The President has signed: HB 1025, HB 1064, HB 1097, HB 1099, HB 1118, HB 1125, HB 1134, HB 1135, HB 1149, HB 1150, HB 1151, HB 1216, HB 1230, HB 1262, HB 1339.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)

MR. SPEAKER: The President has signed and your signature is respectfully requested on: SB 2100, SB 2101, SB 2102, SB 2124, SB 2131, SB 2202, SB 2209, SB 2243, SB 2309.

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

The following bill was delivered to the Governor for approval on March 7, 2003: HB 1130.

REPORT OF STANDING COMMITTEE

HCR 3058: Joint Constitutional Revision Committee (Rep. Kretschmar, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (8 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HCR 3058 was placed on the Sixth order on the calendar.

Page 2, line 1, after "order" insert "is effective and"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HCR 3069: Joint Constitutional Revision Committee (Rep. Kretschmar, Chairman) recommends **DO NOT PASS** (9 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). HCR 3069 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

HCR 3071: Joint Constitutional Revision Committee (Rep. Kretschmar, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (7 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). HCR 3071 was placed on the Sixth order on the calendar.

Page 1, line 15, overstrike "engage in" and insert immediately thereafter "own and operate" and overstrike ", not prohibited by article XX of the"

Page 1, line 16, overstrike "constitution, but neither" and insert immediately thereafter "if the profits are deposited in the general fund of the state, county, or city. Neither" and remove "of the state may"

Page 1, line 17, overstrike "otherwise" and insert immediately thereafter "of the state may"

Page 1, line 21, replace "and the attorney general" with ". The state auditor" and replace "prosecute" with "investigate each complaint of the appropriation of public funds contrary to this section, and if the investigation discloses an apparent violation of this section, the state auditor shall refer the matter to the proper authority for prosecution"

Page 1, line 22, remove "the crime"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HCR 3075: Natural Resources Committee (Rep. Nelson, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3075 was placed on the Sixth order on the calendar.

Page 1, line 1, after "resolution" replace the remainder of the resolution with "directing the Legislative Council to study and identify federal and state statutory and regulatory policies that discourage or prevent final bond release applications from being filed and study and identify Public Service Commission regulatory policies that could be implemented to encourage flexibility in proving reclamation success and reducing administrative and regulatory burdens necessary for bond release applications and study and identify actions being undertaken by the mining companies to achieve final bond release.

WHEREAS, there are approximately 50,000 acres of disturbed land under mining permits in this state and there is a 10-year statutory period once mining and initial reclamation are completed before final bond release can be achieved; and

WHEREAS, the Public Service Commission estimates that there may be between 8,000 and 10,000 acres of land that have been reclaimed for 10 years but for which no related final bond release requests by mining companies have been filed with the Public Service Commission; and

WHEREAS, the mining companies, regulatory agencies, and farmers and ranchers have mutual interests in obtaining timely bond release; and

WHEREAS, there are circumstances in which the land has been reclaimed for 10 years and is in full agricultural production where mining companies have not applied for final bond release due to the irregular shape of tracts, proximity to active operations, need for future access, and safety concerns for the landowners or tenants;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That the Legislative Council study and identify federal and state statutory and regulatory policies that discourage or prevent final bond release applications from being filed and study and identify Public Service Commission regulatory policies that could be implemented to encourage flexibility in proving reclamation success and reducing administrative and regulatory burdens necessary for bond release applications; and study and identify activities being undertaken by the mining companies to achieve final bond release; and

BE IT FURTHER RESOLVED, that the Legislative Council report its findings and recommendations, together with any legislation required to implement the recommendations, to the Fifty-ninth Legislative Assembly."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2053: Political Subdivisions Committee (Rep. Froseth, Chairman) recommends **DO PASS** (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2053 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2111: Agriculture Committee (Rep. Nicholas, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2111 was placed on the Sixth order on the calendar.

Page 1, line 9, overstrike "to be"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2112: Transportation Committee (Rep. Weisz, Chairman) recommends **DO PASS** (9 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING). SB 2112 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2127: Political Subdivisions Committee (Rep. Froseth, Chairman) recommends **DO NOT PASS** (10 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING). SB 2127 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2134: Government and Veterans Affairs Committee (Rep. M. Klein, Chairman) recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2134 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2146: Industry, Business and Labor Committee (Rep. Keiser, Chairman) recommends **DO PASS** (12 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). SB 2146 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2149, as engrossed: Transportation Committee (Rep. Weisz, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2149 was placed on the Sixth order on the calendar.

Page 1, line 1, after "reenact" insert "subsection 1 of section 39-06-01.1,"

Page 1, line 4, after "to" insert "minor operators of motor vehicles,"

Page 1, after line 9, insert:

"SECTION 1. AMENDMENT. Subsection 1 of section 39-06-01.1 of the North Dakota Century Code is amended and reenacted as follows:

1. The director shall cancel the permit or license to operate a motor vehicle of an individual who has committed acts resulting in an accumulated point total in excess of five points as provided for a violation under section 39-06.1-10 ~~or~~, has committed an alcohol-related offense while operating a motor vehicle, or has had driving privileges suspended or revoked under chapter 39-20, if:
 - a. The acts or offenses were committed while the individual was a minor; and
 - b. The individual admitted the violation, was found to have committed the violation by the official having jurisdiction, or pled guilty to, was found guilty of, or adjudicated to have committed the offense."

Page 4, line 3, overstrike "two" and insert immediately thereafter "three"

Page 4, line 5, remove "immediately"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2162: Transportation Committee (Rep. Weisz, Chairman) recommends **DO PASS** (10 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). SB 2162 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2171, as engrossed: Government and Veterans Affairs Committee (Rep. M. Klein, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2171 was placed on the Sixth order on the calendar.

In lieu of the amendments as printed on page 769 of the House Journal, Engrossed Senate Bill No. 2171 is amended as follows:

Page 1, line 3, after "employees" insert "; to provide for a report to the legislative council; and to provide an expiration date"

Page 1, after line 16, insert:

"SECTION 2. REPORT TO LEGISLATIVE COUNCIL - LODGING REIMBURSEMENT. Before September 4, 2004, the head of each state agency or entity shall provide to the director of the office of management and budget any information determined necessary by the director to be used for compilation of the report required by this section. Before October 2, 2004, the director of the office of management and budget shall present a report to the legislative council regarding actual lodging expense reimbursement by state entities between the effective date of this Act and September 1, 2004, which has been authorized by the head of a state agency or entity under paragraph 2 of subdivision d of subsection 2 of section 44-08-04. The report must include information regarding:

1. The number of nights for which lodging reimbursement was provided by a state agency or entity.
2. The number of lodging reimbursements and the dollar amount per night provided by a state agency or entity which was above the rate provided for in paragraph 1 of subdivision d of subsection 2 of section 44-08-04.
3. The city in which the state agency or entity provided actual lodging expenses which were above the rate provided for under paragraph 1 of subdivision d of subsection 2 of section 44-08-04.

SECTION 3. EXPIRATION DATE. This Act is effective through July 31, 2005, and after that date is ineffective."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2173, as engrossed: Political Subdivisions Committee (Rep. Froseth, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (9 YEAS, 3 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2173 was placed on the Sixth order on the calendar.

Page 1, line 1, after "11-11.1-04" insert "and subsection 29 of section 57-15-06.7"

Page 1, line 2, after "to" insert "property tax levy authority for"

Page 2, line 18, overstrike "limitation" and insert immediately thereafter "limitations"

Page 2, after line 29, insert:

"SECTION 3. AMENDMENT. Subsection 29 of section 57-15-06.7 of the North Dakota Century Code is amended and reenacted as follows:

29. A county levying a tax for a job development authority as provided in section 11-11.1-04 or for the support of an industrial development organization as provided in section 11-11.1-06 may levy a tax not exceeding four mills on the taxable valuation of property within the county.

Upon approval by a majority of electors voting on the question at a regular or special county election, a county levying a tax for a job development authority as provided in section 11-11.1-04 or for the support of an industrial development organization as provided in section 11-11.1-06 may levy a separate and additional tax for promotion of tourism in an amount not exceeding one mill on the taxable valuation of property within the county. However, if any city within the county is levying a tax for support of a job development authority or for support of an industrial development organization and the total of the county and city levies exceeds ~~four~~ five mills, the county tax levy within the city levying under subsection 28 of section 57-15-10 must be reduced so the total levy in the city does not exceed ~~four~~ five mills."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2176: Political Subdivisions Committee (Rep. Froseth, Chairman) recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2176 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2213: Transportation Committee (Rep. Weisz, Chairman) recommends **DO PASS** (9 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING). SB 2213 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2266: Government and Veterans Affairs Committee (Rep. M. Klein, Chairman) recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2266 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2303, as engrossed: Finance and Taxation Committee (Rep. Belter, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (7 YEAS, 5 NAYS, 2 ABSENT AND NOT VOTING). Engrossed SB 2303 was placed on the Sixth order on the calendar.

Page 3, line 6, replace "adjusted:" with an underscored period

Page 3, remove lines 7 through 16

Page 3, after line 26, insert:

"(5) "Nonfarm net income" means taxable income from other than farming activities as computed for income tax purposes pursuant to chapter 57-38 adjusted to exclude unreimbursed travel and living expenses necessary to earn nonfarm income which were not deducted in computing taxable income pursuant to chapter 57-38."

Page 3, line 27, replace "(5)" with "(6)"

Page 4, line 3, replace "(6)" with "(7)"

Page 4, line 10, replace "(7)" with "(8)"

Page 4, line 12, replace "(8)" with "(9)"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2341, as engrossed: Government and Veterans Affairs Committee (Rep. M. Klein, Chairman) recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2341 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2359, as engrossed: Human Services Committee (Rep. Price, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2359 was placed on the Sixth order on the calendar.

Page 1, line 11, after the period insert "If the department of human services and the requesting county have not agreed on an alternative within six months of the request, the requesting designation must be implemented."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2367, as engrossed: Finance and Taxation Committee (Rep. Belter, Chairman) recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2367 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2388: Political Subdivisions Committee (Rep. Froseth, Chairman) recommends **DO PASS** (11 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). SB 2388 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

SCR 4011: Transportation Committee (Rep. Weisz, Chairman) recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (11 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SCR 4011 was placed on the Tenth order on the calendar.

REPORT OF STANDING COMMITTEE

SCR 4030: Transportation Committee (Rep. Weisz, Chairman) recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (11 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SCR 4030 was placed on the Tenth order on the calendar.

MOTION

REP. MONSON MOVED that the absent members be excused, which motion prevailed.

MOTION

REP. MONSON MOVED that the House be on the Fifth, Seventh, Twelfth, and Sixteenth orders of business and at the conclusion of those orders, the House stand adjourned until 1:00 p.m., Monday, March 10, 2003, which motion prevailed.

The House stood adjourned pursuant to Representative Monson's motion.

BRADLEY C. FAY, Chief Clerk

